



Order Filed on April 25, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor
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In Re:

Carmelo Scalia,

Debtor.

Stella Ann Scalia,

Joint Debtor.

Case No.: 17-25081-VFP

Chapter: 13

Hearing Date: April 21, 2022

Judge: Vincent F. Papalia

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby ORDERED.

DATED: April 25, 2022

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Secured Creditor: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR ADJUSTABLE RATE MORTGAGES TRUST 2007-1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-1

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Ronald I. LeVine

Property Involved ("Collateral"): 77 Humphrey Avenue, Bayonne, NJ 07002

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:
 - The Debtors have brought the account current pursuant to the Motion for Relief from Stay filed on March 17, 2022.
2. Beginning on 04/01/2022, regular monthly mortgage payments shall continue to be made in the amount of \$2,910.16. This amount is subject to change based on escrow and/or interest rate adjustments.
3. Payments to the Secured Creditor shall be made to the following address(es):
 - Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054
4. In the event of Default:
 - Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

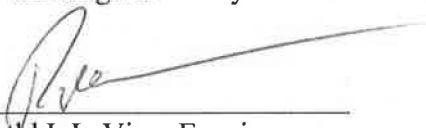
■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ Secured Creditor is awarded attorney fees of \$350.00 and costs of \$188.00 associated with this Motion. The fees and costs are payable directly to Secured Creditor outside of the Chapter 13 Plan within thirty (30) days of entry of this Order.

■ A Notice of Postpetition Mortgage Fees, Expenses, and Charges in the amount of \$500.00 was filed by Secured Creditor on April 6, 2018 under Claim 4-1 on the Claims Register. This fee shall be paid directly to Secured Creditor outside of the Chapter 13 Plan within thirty (30) days of entry of this Order.

The undersigned hereby consent to the form and entry of the foregoing order.



Ronald I. LeVine, Esquire.
Attorney for Debtors
Date:

/s/ Shauna Deluca

Shauna Deluca, Esquire.
Attorney for Secured Creditor
Date: April 8, 2022